IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

OP.No. 20369 of 2001(Y)

PETITIONERS:

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1. **C.SASI, PC.NO.8462, POLICE QUARTERS NO.D1, VIKAS BHAVAN, PMG, THIRUVANANTHAPURAM.**

2. **K.SREEKANTAN, P.C.T. 6556, POLICE QUARTERS NO.D.6 DO. DO. DO.**

3. **K.UDAYAKUMART, PCT, 6584, JYOTHI BHAVAN, EX.S.M. COLONY P.O. PACHA PALODE 695 562.**

4. **K.P.MOHANAKUMAR, PCT 6578, V.V.HOUSE, CHARUPARAM, VITHURA P.O., NEDUMANGAD, THIRUVANANTHAPURAM.**

5. **S.JAYAKUMARAN NAIR, PCT 8564, GEETHA VILAS, CHITTAZHA, VATTAPPARA P.O., THIRUVANANTHAPURAM 28.**

6. **S.JOHN , PCT 8445, POLICE QUARTERS NO.A.16, VIKAS LANE, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM.**

6. **S.JOHN, PCT 8445, POLICE QUARTERS NO.A.16, VIKAS LANE, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM.**

7. **S.VENUGOPALAN NAIR, PCT 7892, REVATHI, MALAYINKEEZHU, MALAYINKEEZHU P.O., THIRUVANANTHAPURAM 695571.**

8. **N.JAYACHANDRAN NAIR, PCT 6510, ANJANAM, CHENADU, OTTARCKMURAMANGAN P.O., NEYYATTINKARA, THIRUVANANTHAPURAM 695 125.**

9. **PRABHAKARAN NAIR, PCT 6529, VIKAS BHAVAN, THIRUVANANTHAPURAM.**

BY ADV. SRI.V.GIRI

OP. NO.20369/2001

RESPONDENTS:
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1. **STATE OF KERALA REP.BY THE SECRETARY TO GOVERNMENT, HOME (A) DEPARTMENT, SECRETARIAT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

2. **THE SUPERINTENDENT OF POLICE, CRIME BRANCH, CID HEADQUARTERS, THIRUVANANTHAPURAM.**

3. **THE SUPERINTENDENT OF POLICE, THIRUVANANTHAPURAM RURAL, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.MANOJ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, ALONG WITH OP. NO.32314/2001 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.33069/2001 IN OP. NO.20369/2001

DISMISSED

21.03.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE RELEVANT PAGES GOVERNMENT ORDER NO.G.O.(P) NO.3000/98/FIN. DT.25.11.98.

EXT.P2:- COPY OF THE GOVERNMENT ORDER G.O. (MS) NO.234/99/HOME DT.24.11.99.

EXT.P3:- COPY OF THE ORDER ISSUED BY THE 2ND REP.BY DT.290.3.2000 IN RELATION TO SOME OF THE PETITIONER.

EXT.P3(a):- COPY OF THE ORDER ISSUED BY THE 3RD RESPECT IN TUNE WITH EXT.P3 IN RELATION TO ONE OF THE PETITIONER.

EXT.P4:- COPY OF THE ORDER OF THE GOVERNMENT DT. 18.7.2000.

EXT.P5:- COPY OF THE ORDER PASSED BY THE 2ND RELATION IN RELATION TO ONE OF THE PETITIONERS DT.10.2.01.

EXT.P6:- COPY OF THE REPRESENTATION SUBMITTED BY ONE OF THE PETITIONERS BEFORE THE 1ST RESPONDENT DT.14.2.01.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NOs. 20369 & 32314 OF 2001

Dated this the 21st day of March, 2007.

J U D G M E N T

Exhibit P1 Government Order, in the matter of pay revision implementation is to take effect from 01.03.1997, whereas Exhibit P2 order was passed only on 24.11.1999, extending the benefit of Exhibit P1 Government Order to employees like the petitioners. The stand taken in Exhibit P4 is that the petitioners will get the benefit only with effect from the date of Exhibit P1 order, namely 25.11.1998. But, it is stated very clearly in Exhibit P1 order itself that the said order dated 25.11.1998 will take effect from 01.03.1997. Therefore, there is no justification in the stand taken in the impugned orders. The petitioners will be entitled to get the benefit of the Time bound Higher Grade Promotion with effect from 01.03.1997. Impugned orders are accordingly quashed.

These original petitions are disposed of as above.

KURIAN JOSEPH, JUDGE.

smp